

October 10, 2017

Honorable Members of the Planning and Development Committee

**Re: Proposed Zoning Bylaw Amendment To Create a 10 acre Lot at 6188 Colonel Talbot Road.**

Professional Planning Opinion by:

- Joseph Plutino, MCIP, RPP. President of Mainline Planning Services Inc.
- 30 years experience as a Professional Planner
- 2 years of experience as a Central Area Planner at the Ministry of the Environment
- Full Member of the Canadian Institute of Planning since 1991
- Registered Professional Planner in Ontario since 1995

Background:

- 6188 Colonel Talbot Road is a 45-acre lot that is home to a farm employment use. In 2016, the Maitake Corporation constructed a multimillion dollar indoor hydroponic farm facility designed to produce a rare mushroom crop.
- This farm operation is extremely successful in Japan and is the first of its kind in North America.

The Proposal:

- The subject zoning bylaw amendment is needed because the Maitake Corporation can only obtain funding to purchase 10-acres of the existing 45-acre lot.

The Issue:

- The Planning Act allows the subdivision of land by Consent granted by the City's Land Division Committee; however, the City's Official Plan discourages the creation of lots that are less than 100 acres in size (40 hectares) without first obtaining a rezoning of the land.

Planning Report Prepared by Justin Adema, Planner 2:

Scoped Issue:

- We agree that "...the main issue to consider when evaluating the proposed [zoning] amendment is agricultural lot creation" (see pp 9 of staff report Z-8795).
- We agree that the Planning Act requires Council to make decisions that are "...consistent with the Provincial Policy Statements ('PPS') (see pp 9 of staff report Z-8795).
- We agree that PPS policy 2.3.1 applies to the long-term protection of agricultural lots; however, we respectfully submit that Mr. Adema has not applied the policy correctly to the subject application (see pp 9 of staff report Z-8795).

My Professional Planning Opinion:

The Planning Evidence:

- PPS Policy 2.3.4.1a is not a prohibition on the creation of lots in a farm area. The PPS discourages the creation of lots that are not "...appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations".
- The Official Plan not the PPS determined that a minimum 100-acre lot size is needed to produce a viable farm for field crops which is the common agricultural use in the area.
- The fact remains that this area has been bisected by provincial highways and major arterial roads used to access both Highway 401 and 402.
- Mr. Adema concedes that the area was fragmented and policies existed previously to permit many

rural commercial and industrial land uses associated with the Ford Motor Company located near the subject site.

- Our submissions include evidence that 95% of the area including the subject site is subdivided into lots that are less than 100 acres.

Intent of Provincial Policy:

- Read together with the Official Plan it is my professional opinion that the intent of provincial policy is to discourage the creation of farm lots from parcels greater than 100 acres and result in smaller lots.
- The Official Plan permits farm lot creation if the resultant lot sizes are greater than 100 acres without a zoning bylaw amendment.
- It is my professional planning opinion that the intent of the policy is to discourage the further fragmentation of farm lots that are greater than 100 acres in size and clearly not to cause existing smaller lots from being viable farming entities on their own.

The Amendment Maintains the Intent of Provincial Policy and the Official Plan:

- The intent of the PPS and the Official Plan is clearly to promote a healthy and viable agricultural industry.
- The existing policies are intended to preserve 100 acre or larger lots located in prime agricultural areas of London.
- The proposed amendment proposes to make viable an existing farm lot that is less than half the size of the minimum desirable farm unit of 100 acres.
- Council's approval of the proposed zoning bylaw amendment will in this case improve the health and economic vitality of the farm operation located on this undersized lot.
  - **The severance will ensure the long-term success of an indoor cash crop farm** that only requires a 10-acre lot. The Maitake Corporation cannot justify to financiers the purchase of 45 acres of land which will affect their financial viability and threaten their ability to compete and remain an employer in the city.
  - **The severance will allow the remaining 35 acres of land to be farmed** and not left as fallow and underutilized by the indoor hydroponic farm facility.
  - **The proposed zoning amendment will not create an adverse impact** as both the 10-acre and 35-acre parcels will be relevant farmland whereas left alone the future success of the parcel is questionable.

Conclusion:

It is our professional opinion that Council's approval of **the proposed rezoning application is good planning and justified as it is a win – win – win for all involved.**

- **A 'win' for the City of London and its citizens** as the Hydroponic Mushroom Farm will become financially sustainable and able to remain in London as a long term contributing ratepayer and employer.
- **A 'win' for the owner** as he will be able to complete the sale of land left in abeyance until the severance is approved.
- **A 'win' for the farming community** as non-traditional cash crop operations ought to be considered on small farm parcels in an agricultural zone that are otherwise underutilized or re-zoned for rural residential, commercial or industrial uses that are not farm related.